No. 71656

2ND A M E N D E D APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

| Date of filing in State Engineer's Office September 7, 2004 | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|
| Returned to applicant for correction October 4, 2004 | | | | | | | | | | |
| Corrected application filed FEB 01 2005 | | | | | | | | | | |
| Map filed | | | | | | | | | | |
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| The applicant NYE COUNTY makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. | | | | | | | | | | |
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| 1. The source of the proposed appropriation is UNDERGROUND | | | | | | | | | | |
| 2. The amount of water applied for is 13.1 second-feet | | | | | | | | | | |
| (a) If stored in reservoir give number of acre-feet | | | | | | | | | | |
| 3. The water to be used for QUASI-MUNICIPAL | | | | | | | | | | |
| 4. If use is for: | | | | | | | | | | |
| (a) Irrigation, state number of acres to be irrigated N/A | | | | | | | | | | |
| (b) Stockwater, state number and kinds of animals to be watered N/A | | | | | | | | | | |
| (c) Other use (describe fully under No. 12. "Remarks") | | | | | | | | | | |
| (d) Power: (1) Horsepower developed N/A | | | | | | | | | | |
| (2) Point of return of water to stream N/A | | | | | | | | | | |
| 5. The water is to be diverted from its source at the following point (Monitor Valley South – Basin #140B) NW ¹ / ₄ SE ¹ / ₄ Sec. 30, T.9N., R46E., M.D.B.&M., (unsurveyed land), at a point which bears N 53° 17' 15" E., a distance of 3376.48 feet from the SW corner of said Sec. 30 | | | | | | | | | | |
| 6. Place of Use NW1/4 SE1/4 Sec. 30, T.9N., R46E., M.D.B.&M., (unsurveyed land). | | | | | | | | | | |

- 7. Use will begin about JANUARY 1ST and end about DECEMBER 31ST of each year.
- 8. Description of proposed works **DRILLED WELL WITH PUMP AND MOTOR AND PIPELINE**
- 9. Estimated cost of works \$100,000.00
- 10. Estimated time required to construct works 10 YEARS
- 11. Estimated time required to complete the application of water to beneficial use 10 YEARS

12. Remarks: QUASI-MUNICIPAL WATER SUPPLIES WILL BE NEEDED TO SUPPORT COMMUNITY DEVELOP-MENT AND GROWTH IN THE COMMUNITIES OF ROUND MOUNTAIN AND HADLEY. TESTING WILL BE CONDUCTED TO DETERMINE IF WATER IS OF SUITABLE QUALITY AND QUANTITY. INTERBASIN TRANSFER WILL BE SOUGHT IF WATER IS DETERMINED TO BE OF ADEQUATE QUALITY AND QUANTITY ADEQUATE, APPLICATION WILL BE MADE TO CHANGE THE PLACE OF USE TO ROUND MOUNTAIN AND HADLEY.

By s/ Maryellen C. Giampaoli
MARYELLEN C. GIAMPAOLI Agent
P.O. BOX 127
BLUE DIAMOND, NV 89004

| Compared | gkl/ so | c | | | BLUE DIAMOND, NV 89004 | | | | | |
|-------------|---------|-----|----|-----|------------------------|------|------|--------|--|--|
| Protested _ | 4/8/05 | by: | US | DOE | NAT. | NUC. | SEC. | ADMIN. | | |
| | ***** | | | | | | | | | |